G.R.S. IX-5]

Previous references.

1921.

(Geol)

File No. 85 F 21

Serial Nos. 1-2, 4-5

Later references.

Pre

(17)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 4

Part B for October 1922

SUBJECT

Amendment in the rules for the grant of exploring and prospecting licenses and mining leases in the State.

Sc 57

To

The Controller, Mysore Gazette.
No. D.C 1516 of 1921/22

Notification in _____

53

G.R.S. 57.]

File No.

Serial Nos.

190 .

GENERAL AND REVENUE SECRETARIAT.

( )

Part A: Manuscript
for

Serial Nos.

GPB—5,000—20-3-06.

G. R. S. III-2,

General and Revenue Secretariat. | Genl File No. 85 of 1921.

Serial No.

Extract from Genl File no 52-21 re

the renewal of ~~Prospecting~~ license no 493 held by

Mr. M. Lakshminarayana Goel

× × ×

The delay may be condoned & the license renewed as it is reported that the licensee is doing some good work.

(Initd) M.S.R.
16-2-22

Gl Secy.

2nd Member.

Yes

(Initd) S.H.
21-2

"A" 1. Is there is no penalty attached to such defaults? If so, it has ~~to be~~ got to be enforced In case there is, the desirability of having such requires to be considered. Meantime I accept the recommendation made. A severe warning should however be administered to the Licensee for the despatch default on his part

(Initd) A.R.R.
23-2-22

4 Please refer to 'A'

5 How are we to enforce the penalty.

(Initd) S.H.
23-2-22

6 Submitted. No penalty has been prescribed under rules for delay in submission of applications for renewal of licenses. Either the delay may be condoned by Govt or the renewal refused as

NOTE—Contn. sheet.

G. R. S. III-2,

General and Revenue Secretariat. | Geol File No. 85 of 19 21.

Serial No.

discretion of Govt

AHS. (Sd) T.G.
28-2-22. 28-2-22.

7 Draft up draft removing the license & intro the observation made in the Members minute above.

8 Also note if provision for levying penalty is made in the Govt of India re early (Sd) AHS 28/2

9 Submitted into a draft as directed.

10 No provision has been made for levying penalty in the Govt of India Rules.

AHS. (Sd) T.G.
28-2-22 1-3-22

11 The draft is for approval.

12 There is no provision for levying penalty for delay in applying for renewal in the rules. As no provision of the kind is found in the Govt of India rules cited it is for consideration if the question maybe taken up and dealt into separately in consultation with the Director of Geology.

(Sd) AHS.
1-3-22

(Sd Dewey). 13 It is somewhat difficult to affix a penalty. However this may be considered separately as suggested above. Submitted

(Sd) S.H. 11.3

NOTE—Contn. sheet.

4430

3

G. R. S. III-2,

General and Revenue Secretariat. | Geol File No. 85 of 1921.

Serial No.

14 Submitted with a draft for orders.

AAS 17-3-22

15/3/22

16/3

1 To the Director, Dept of Geology 4963 & 22-3-22

Enquiries whether it is not desirable to make provision in the rules for levying penalty for delays in applying for renewals of licences.

2 From the Home Office. 1611 & 28-3-22

Proposes that a penalty of Rs 25/- maybe charged for delays in applying for the renewal of prospecting licences & of certificates of approval.

16 Submitted for orders.

AAS 5-4-22

6/4/22

17 Returned with a draft for orders.

6/4/22

18 Submitted with a copy of the rules referred to.

7/4

AAS. 7-4-22

7/4/22

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | Geol File No. 85 of 1921.

Serial No.

19 The Government of India rules do not provide for levying any penalty in the case of delay in renewing applications for prospecting licenses. In the case of renewal of certificates of approval if there is delay, the full fee of Rs.50/- is leviable as against the renewal fee of Rs.10/- only. But our rules also provide for renewal of certificates of approval on payment of a fee of Rs.5/-. The rule may, as suggested, be modified on the lines of the Government of India rules and when the renewal application is not received within one month after the expiry of the first certificate, the full fee of Rs.35/- may be levied.

20 As regards levying penalty in the case of prospecting licenses, it has to be observed that the fees and rent payable are already heavy enough and that in cases of delay there is nothing to prevent a higher rent being levied, subject to a maximum of Re.1/- per acre or the application for renewal being refused. Any further levy is likely to kill private enterprise. The question need not perhaps be pursued.

For orders.

874/22

NOTE—Contn. sheet.

9.7.0.

G. R. S. III-2

General and Revenue Secretariat.

Cyclo File No. 85 of 1921.

Serial No.

6010-16
1.5.22

I do agree that we may follow the practice in British India and levy any penalty in the case of prospecting licenses applications for renewals of which are received after the date of expiry of the licensee. But it seems to me that it would be desirable to specify a period within which the application for renewal shd be filed. Failure in this would involve non renewal of licensee. I do not think there is any provision of the kind at present. If this is correct the Director may be addressed & his opinion obtained & so far as renewal of certificate of approval is concerned I agree that a penalty of Rs 25/- may be desirable prescribed. This requires the sanction of Govt? But before submitting the file the views of Dr Smeeth may be obtained it would be an advantage to have them.

27
Please see Mr 31. Which already prescribes such period Mr 3/5

Dell
2.5.22

28)
Forwarded with Compliments to Dr Smeeth for favour of opinion

Sivanmaiya
3/5

A. 1365
4.5.22

3/5

NOTE—Contn. sheet.

G. R. S. III-2)

62855

General and Revenue Secretariat.

Govt File No. 85 of 1921..

Serial No.

29

In my opinion the full fee of Rs 25/ may be charged for renewal of a Certificate of approval if the application is rec'd. later than the due date - technically the Certificate will have lapsed and the renewal will be equivalent to granting a fresh certificate I agree with the Asstt Secy that a penalty of Rs 25/- may be demanded if the application for renewal & P.C. is received late. This "late fee" should be retained only if the renewal is sanctioned by Govt. otherwise the applicant gets nothing for it and ~~might further~~ would be better If it be decided in my application the condition to Rule 31 might run as follows :—

" If the application is received later than two calendar months before the date on which the licence terminates a penalty of Rs 25/- shall be charged in respect of each application; the amounts thus received as penalty

REV. SECTT 19 MAY 1922

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | Genl File No. 85 of 1922.

Serial No.

shall be refundable to the applicant if the application for renewal is rejected ~~by Govt.~~ or if special terms, ~~conditions~~ which are unacceptable to the applicant, are imposed. Provided that no such refund shall be made until the terms & conditions of the license have been duly complied with."

To No. 1365 12.5.22

To the Genl Secy with compliments

Shillong. 9/5/22

30) for orders.

12/5

Gl Secy

31) Perhaps draft on the lines of Dr Smith's note.

27/5

Rec'd 29/5

Corrected version

32) Submitted with a draft as desired.

31-5-22

31/5

Gl Secy

31/5 1/6

NOTE—Contn. sheet.

7439-217 24/5

(1st Member) Done [illegible] for the Govt. Advocate for his opinion. 1/6/22.

Recd 28.6.22

G. R. S. III-2]

General and Revenue Secretariat.

Geol File No. 85 of 1921.

Serial No.

1) This is a small change and may not be necessary to submit to H.H. Subdt Dewan

Sb 28/6

DEWAN'S OFFICE.
Recd. on JUN 29 1922
Reg. No. 7333

Dewan Draft approved by member
may issue
4/7

4 JUL 1922

2) Submitted with papers & the query of the first member. The draft may now be ordered & issue

Sd 5/7/22

362-362 11.7.22 First member

3) Approved

Dell
12-7-22

4) Sd 13.7.22

5 To. The Director of Mines & Geology
The Director of Geology
The Controller Mysore
432-4 & 17-7-22
Orders that a penalty of 25/- be charged for delays in the submission of applications for renewal of approval & of prospecting licenses and that necessary amendments to the rules will be notified for the information of the public

NOTE—Contn. sheet.

4430 9

G. R. S. III-2]

General and Revenue Secretariat. | Geol. File No. 85 of 1922

Serial No.

Submitted with a draft notification

18
22-7-22

For approval

Sec'y

2213-353
14-9-22

Secretary

18
25/8/22

Not approved

Sec'y

15.9.22

15/9/22

15/9

To. Compiler, Mysore &c.

No 1816 G. 18-9-22

Notifn re certain amendments in the rules for the grant & exploring & prospecting licenses & mining leases in the State.

Nos 1817-18 Copies & Dir & Ho. & Sly & Director, Deptt & Geology

tcc

NOTE—Contn. sheet.

G. R. S. VI—G/32]

SUBJECT.....

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.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue 22.3.22

Signed by M.S.R.

Section Geol

File No. 85-21.

Serial No. 1

No. 4963

To The Director, Dept of Geology

Sir,

I am directed to state that there are a number of instances in which applications for renewals of licences have not been received in time & there is no provision in the rules for levying penalty for such delays. I am to request you to be so good as to submit your proposals for levying Govt regarding the desirability of levying penalty in such cases. Hence.

for Secy to Govt

Secy

17/3/22

20/3

exception if it is not desirable to provide in the rules for such a levy & to request you to submit proposals for the sanction of Govt

I am to request you to submit your proposals for the sanction of Govt

M. G. D. 12.

4895

GEN & REV. SECTT
30 MAR 1922

No. 1611
Encl: One.

Dated, Bangalore, 28/3/1922.

Geol 85-24-2

From

B. JAYA RAM, ESQUIRE, F.G.S.,
Director, Mysore Geological Department.

GEN. SECRETARIAT
30 MAR 1922
INDUSTRIES & COMMERCE BRANCH.

To

S. Hiriannaiya, Esq., M.A., B.L.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
General Department, Bangalore.

Sir,

In reply to your letter No.I.C.4693/Geol., dated 22nd March 1922, I have the honor to state that it seems to me to be very desirable to charge a penalty for delays in the submission of applications for renewals of prospecting licenses. It may be expected that the penalty will act as a deterrent on the licensees. I propose a penalty of Rs 25/- in respect of each license, which will be the same as the fee payable for an application for a fresh prospecting license over a block of one square mile or part thereof.

2. In this connection, it seems to me that we may, with advantage, prescribe a similar penalty in cases where there are delays in the submission of applications for renewals of certificates of approval. Rule 5 of our present Rules requires that an application for the renewal of a certificate of approval should be submitted before the close of the year for which it has been granted or renewed. Instances have occurred in which such applications are received long after the close of the year for which the certificates are granted or renewed and I do not see why we should not charge the full fee of Rs 25/- in such cases. The Government of India Rules

also

also provide for the levy of the full fee in the case of applications submitted later than the prescribed date.

3. A draft of the necessary additions to Rules 5 and 31 is submitted herewith for favour of approval of Government.

I have the honor to be,

Sir,

Your most obedient servant,

B. Fayer Dass

Director,

Mysore Geological Department.

cvv

(13

(Enclosure to letter No. 161 dated 27/28th March 1922, to the Secretary to Government, General Department.)

Draft of certain additions to the Rules for the grant of mineral licenses in the State sanctioned in Government Notification No.G.25838/Geol.37-18-20, dated 12th May 1920.

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(1) At the end of Rule 5 add the following :-

"If the application for renewal is received after the close of the year for which it is granted, the full fee of Rs 25/- shall be charged."

(2) At the end of Rule 31 add the following :-

"If the application for renewal is received later than two months before the date on which the license terminates, a penalty of Rs 25/- shall be charged in respect of each license; the amount thus paid as penalty shall not be refundable if the renewal of the license is refused by Government or is sanctioned on any special terms which may not be acceptable to the licensee."

B. Jayaram

Director,

Mysore Geological Department

7 Copies

G.R..S VI G 34]

SUBJECT.....

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.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, *the* 192

Date of issue 17/5/22

Signed by Mr M.S.R

Section Geol

File No. 85-21

Serial No. 1

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read—

Govt orde no. G 1992-2/Geol 57-18-17 & 27th February 1920 approving the revised rules for the grant of mineral licenses & leases and other concessions in this State

2. Correspondence ending with letter no 1611 & 28-3-1922 from the Director, Dept of Geology proposing that sanction may be accorded to the levy of a penal of Rs 25/- for delays in the submission of applications for renewals of Certificates of approval and of Order Thereon—No. prospecting licenses.

Orde no.-9 S.C. 4324

In case an application for the renewal of a certificate of approval is received after the close of the year

P.C.F

May this be

i Printed ?

ii. treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

para 2 notes

P—

for which is granted, the renewal will be equivalent to the grant of a fresh certificate. Govt are therefore pleased to direct that the full fee of Rs 25/- be charged for the renewal of a certificate of approval, if the application is received after the ~~due date~~ period to which the last certificate relates.

2. With regard to renewal of prospecting licences, Govt are pleased to direct that, in case the application for renewal is not received two Calendar months before the date on which the licence terminates, a penalty of Rs 25/- should be charged, which amount shall be ~~refundable~~ refundable to the applicant ~~in case~~ Should the application for renewal be rejected by Govt or if any special terms are imposed which are unacceptable to ~~the~~ him applicant provided that no such refund shall be made until the terms and conditions of the licence have been fully complied with.

3. The necessary amendments ~~made~~ to the rules will be notified separately for the information of the public.

List of enclosures.

Copied by

Examined by

Passed 30

Reed 28.6.22

31/5/22 16/6

For Secy to Govt of Orissa

To The Director of Mines & Geology
The Director of Geology
The Comptroller

WD 1883—GPB—1,000,00—21-12-21

G. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to 4430

Section Geol
File No. 85-21
Serial No. 5

General and Revenue Secretariat
( )
, the *191* .

No. 1816

Date of issue 19th September 1921

Signed by Mr. M. S. Rao

Notification

To,

Under section 38 of the Mysore Land Revenue Regulation, IV of 1888, and in modification of Govt Notification no G7 25838 / Geol 57-18-20 dt 12-5-1920, the Govt of His Highness the Maharaja are pleased to direct that the following amendments be made in the rules for the grant of exploring and prospecting licenses and mining leases in the State.

G7

(1) Add the following at the end of Rule

If the application for renew is received after the close of the year

over.

which it is granted, the full fee of Rs 25/-
shall be charged."

(2). Add the following at the end of Rule 31:

"If the application is received later than two calendar months before the date on which the license terminates, a penalty of Rs 25/- shall be charged in respect of such application; the amount thus received as penalty being refundable to the applicant if the application for renewal is rejected by Govt or if special terms are imposed, which are unacceptable to him. Provided that no such refund shall be made until the terms and conditions of the license have been duly complied with."

By order

B. 2507/22

Section Officer, Govt.

List of enclosures.

Reed
15.9.22

To The compiler, Mysore gazette for publication with the request that 400/- copies may be printed and 100 copies sent to the C & R Secretariat and the remaining to the Director, Dept of Geology.

Memo. Dr 1817-18/ dt 19.9.22

Copied by

Examined by

A copy of the above is forwarded with compliments to the Director of Mines & Geology for information
Director, Dept of Geology with reference to his letter no 1811 dt 28-3-1922.

PUR

B. 2507/22

Section Officer, Govt.